

REMARKS

These papers are submitted in response to the non-final Office Action mailed May 11, 2007. A second declaration of inventor, Michel Franz, is provided. Claims 16, 18, 19, and 22-35 are pending. Applicants respectfully request consideration of the declaration, and the amendments and remarks made herein.

35 U.S.C. 103

Claims 16, 18, 19, and 22-35 are rejected as being unpatentable over Woolfe in view of Ouadji. Applicants respectfully traverse the rejection.

Applicants have previously provided two declarations, the Franz declaration and the Amith declaration supporting a showing of unexpected results of the claimed combination of the prior art. The Examiner has indicated that the declarations are deficient for this showing because the type of gelatin used in the study is not specified. A second declaration of Michel Franz (the Franz II declaration provided herewith) provides the additional experimental detail requested by the Examiner to support the showing of unexpected results over the prior art. The declaration indicates the hard capsule materials and shows the increased stability of stabilized misoprostol in the hard HPMC capsules as compared to the same stabilized misoprostol in the hard gelatin capsules. Consideration of the Franz II declaration is requested with consideration of the claims for allowance.

Should the Examiner feel a telephone discussion would assist in moving this application to allowance, the Applicant's undersigned attorney is at the Examiner's service.

Respectfully submitted,
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Attachment: Michel Franz Declaration II